

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Tenner Murphy, by his
guardians Kay and Richard Murphy;
Marrie Bottelson; Dionne Swanson; and on
behalf of others similarly situated,

Civ. No. 16-2623 (DWF/BRT)

**PLAINTIFFS' MOTION
TO COMPEL DISCOVERY**

Plaintiffs,

vs.

Emily Johnson Piper in her Capacity as
Commissioner of The Minnesota Department of
Human Services,

Defendant.

TO: Defendant and her Attorneys Scott H. Ikeda, Esq., Janine Kimble, Esq., and Aaron Winter, Esq., Office of the Attorney General, State of Minnesota, 445 Minnesota Street, Suite 1100, St. Paul, MN 55101.

Pursuant to Fed. R. Civ. P. 37, Plaintiffs move that Defendant (1) provide an answer to Plaintiffs' Interrogatory No. 33; (2) produce responsive documents to Plaintiffs' Revised Document Request No. 43; (3) produce all documents and portions of documents withheld under the deliberative process privilege; and (4) either provide information that shows what her usual course of business is, including who maintained the documents produced, or indicate a Bates range where documents responsive to each request will be located. This Motion is made pursuant to Rule 37 of the Federal Rules of

Civil Procedure and is based upon the files, records, and proceedings herein, including the memorandum of law filed and served with this motion.

**MID-MINNESOTA LEGAL AID
MINNESOTA DISABILITY LAW CENTER**

Dated: March 23, 2018

By: /s/ Justin H. Perl

Justin H. Perl (#151397)
Steven Schmidt (#0392442)
Christen Chapman (#0398974)
430 First Avenue North, Suite 300
Minneapolis, MN 55401
Phone and Fax: (612) 746-3759
jperl@mylegalaid.org
sschmidt@mylegalaid.org
cchapman@mylegalaid.org

**ANTHONY OSTLUND
BAER & LOUWAGIE P.A.**

Dated: March 23, 2018

By: /s/ Steven M. Pincus

Joseph W. Anthony (#0002872)
Steven M. Pincus (#0171414)
Peter J. McElligott (#0397578)
90 South Seventh Street, Suite 3600
Minneapolis, MN 55402
Telephone: (612) 349-6969
janthony@anthonyostlund.com
spincus@anthonyostlund.com
pmcelligott@anthonyostlund.com

ATTORNEYS FOR PLAINTIFFS